

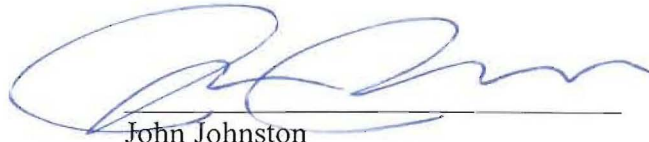
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
HELENA DIVISION

ROBIN MICHELE BOULE,)	
)	
Plaintiff,)	CV 19-051-H-JTJ
)	
vs.)	
)	
KILOLO KIJAKAZI,)	ORDER FOR AWARD OF
Acting Commissioner of the)	ATTORNEY FEES AND COSTS
Social Security Administration)	PURSUANT TO THE EQUAL
)	ACCESS TO JUSTICE ACT
Defendant.)	

Plaintiff is hereby awarded \$7,400.00 in fees under the EAJA, as well as \$400.00 in costs. Under *Astrue v. Ratliff*, 130 S. Ct. 2521, 2528-29 (2010), EAJA fees awarded by this Court belong to the Plaintiff and are subject to offset under the Treasury Offset Program (31 U.S.C. § 3716(c)(3)(B) (2006)). Any EAJA fees should therefore be awarded to Plaintiff and not to Plaintiff's attorney. If, after receiving the Court's EAJA fee order, the Commissioner (1) determines that Plaintiff has assigned her right to EAJA fees to her attorney; (2) determines that Plaintiff does not owe a debt that is subject to offset under the Treasury Offset Program; and (3) agrees to waive the requirements of the Anti-Assignment Act,

then the EAJA fees will be made payable to Plaintiff's attorney. However, if there is a debt owed under the Treasury Offset Program, the Commissioner cannot agree to waive the requirements of the Anti-Assignment Act, and the remaining EAJA fees after offset will be paid by a check made out to Plaintiff but delivered to Plaintiff's attorney.

DATED this 10th day of November, 2021.

A handwritten signature in blue ink, appearing to read 'John Johnston', is written over a horizontal line.

John Johnston
United States Magistrate Judge